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Of Attorneys for Defendants Will Stutesman,
Officer Grose, Officer Pieske, Sgt. McAlpine,
and the City of Eugene.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

RONDA MCGOWAN, Personal
Representative for the Estate of Brian
Babb, **LEE BABB, CONNOR BABB**,
by and through his Guardian Ad Litem,
STEPHANIE WOODCOCK, and
KAYLEE BABB,

Case No. 6:17-cv-00424-TC

Declaration of
Nathan Pieske

Plaintiffs,

vs.

WILL STUTESMAN, OFFICER GROSE,
OFFICER PIESKE, SGT. MCALPINE,
CITY OF EUGENE, a municipal subdivision
of the State of Oregon, **JANE DOE CALL**
TAKER, and John and Jane Does 1-10.

Defendants.

I, Nathan Pieske, under penalty of perjury do hereby declare as follows:

I am over the age of 18 years, and I make this declaration based on my personal knowledge of the facts contained herein.

I am one of the individually named defendants in the above-captioned case. I am currently a Police Officer in the traffic enforcement unit of the Eugene Police Department, having been hired by the City of Eugene on January 7, 2002. My law enforcement career began in 1999, at which time I was hired by the Lane County Sheriff's Office. While at Lane County, I obtained a Basic Certificate as a Certified Corrections Officer that was issued by the Department of Public Safety Standards and Training of the State of Oregon (DPSST), after I attended the Oregon Public Safety Academy.

I then went to work for the City of Eugene, and obtained a Basic Certificate as a Certified Police Officer. I then had approximately 20 weeks of training by several Eugene Police Department Field Training Officer. I currently have an Intermediate and an advanced certificate issued by the Department of Public Safety Standards and Training of the State of Oregon (DPSST). See Exhibits 102 and 117 which are true and correct copies of some of the training records showing the training I have received from the City of Eugene and the Department of Public Safety Standards and Training of the State of Oregon.

In 2011, I was assigned as a motorcycle officer, and that is the position I held on March 30, 2015.

During my career with the City of Eugene, I have been very well trained as a police officers in all areas of law enforcement, including the areas of the use of force, firearms, and defensive tactics.

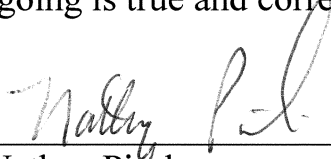
The Eugene Police Department has promulgated various written policies and procedures. These procedures include the use of force. Prior to March of 2015, I had read those policies and understood them. During my time as a Police Officer

and prior to March of 2015, I have received excellent training and supervision by the Eugene Police Department and the DPSST, and none of this training and supervision has been inadequate.

My role on March 30, 2015, was to go get the Bearcat and drive it to the scene. Once I got to the scene, Sergeant McAlpine directed me where to park it. I remained in the driver's seat up to the shot. After the shot, I was directed to move the Bearcat through a fenced area up to the front porch. All of this can be seen on the Bearcat video, Exhibit 106.

I did not use any force upon Mr. Brian Babb. My role was to drive the Bearcat as instructed.

PURSUANT TO 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.



Nathan Pieske

09-24-18

Date

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing DECLARATION OF NATHAN PIESKE IN SUPPORT OF FRCP 56 MOTION FOR SUMMARY JUDGMENT BY DEFENDANTS STUTESMAN, GROSE, PIESKE, McALPINE, AND CITY OF EUGENE on Plaintiffs on Friday, September 28, 2018, by notice of electronic filing using the CM/ECF System:

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Dated: Friday, September 28, 2018.

/s/ Robert E. Franz, Jr.
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